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U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Pagework Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. Application Number 10/767,395 Filing Date TRANSMITTAL January 28, 2004 First Named Inventor **FORM** Shane Elwart Art Unit 3748 Examiner Name (to be used for all correspondence after initial filing) Attorney Docket Number 81091446 Total Number of Pages In This Submission **ENCLOSURES** (Check all that apply) After Allowance Communication to TC Drawing(s) Fee Transmittal Form Appeal Communication to Board Licensing-related Papers Fee Attached of Appeals and Interferences Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Petition Amendment/Reply Petition to Convert to a Proprietary Information Provisional Application Power of Attorney, Revocation Status Letter Affidavits/declaration(s) Change of Correspondence Address Other Endosure(s) (please Identify Terminal Disclaimer below): Extension of Time Request Request for Refund Express Abandonment Request CD, Number of CD(s) \_ Information Disclosure Statement - PTO/SB/08A (1 page) Landscape Table on CD Certifled Copy of Priority Remarks Document(s) Reply to Missing Parts/ Incomplete Application Reply to Missing Parts under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name McCoy Rus الم ell & Túttle LLP Signature Printed name John D Russell Reg. No. Date November 8, 2005 47,048 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature November 8, 2005 Lauren Barberena Typed or printed name

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will very depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**2**002/004

# IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

AHMRT

In re Application of:

:

November 8, 2005

SHANE ELWART, GOPICHANDRA SURNILLA and JOSEPH R. THEIS

Serial No.

10/767,395

Group Art Unit: 3748

Filed

January 28, 2004

For

SYSTEM AND METHOD FOR REMOVING HYDROGEN

SULFIDE FROM AN EMISSIONS STREAMS

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56, 1.97, 1.98

Sir:

In compliance with the duty of disclosure under 37 C.F.R. §§ 1.56, 1.97, and 1.98, the following patents, publications, applications, and/or other information are being submitted and disclosed to the Office, including those listed on the enclosed Form PTO-1449, for consideration by the Examiner.

Applicants respectfully request that the disclosed information be made of record and expressly considered by the Examiner during examination of the pending application. Further, Applicants respectfully request that the disclosed items be listed on the face of any patent issuing from the pending application in the "references cited" column.

In accordance with 37 C.F.R. § 1.97 (g), the present information disclosure statement is not a representation that a search has been made.

In accordance with 37 C.F.R. § 1.97 (h), the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, material to patentability.

In accordance with MPEP § 609, Applicants respectfully request that if the present application is a continuing application, all information considered by the Office in the parent application be considered in the present application, although it need not be listed on the face of the patent unless resubmitted in this or another information disclosure statement filed in this application.

Finally, the present information disclosure statement is not an admission that the information cited in the statement is, or is considered to be, prior art.

Page 1 - INFORMATION DISCLOSURE STATEMENT Serial No. 10/767,395; Record ID 81091446

# BASIS FOR CONSIDERATION BY THE OFFICE UNDER 37 C.F.R. § 1.97

# X 37 C.F.R. § 1.97(b)

The present information disclosure statement is being filed, to the best of Applicants' knowledge and belief:

- (1) within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d); or
- (2) within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or
- (3) before the mailing of a first Office action on the merits; or
- (4) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114.

### CONTENT OF INFORMATION DISCLOSURE STATEMENT 37 C.F.R. § 1.98

The present information disclosure statement includes any information noted above, along with a Form PTO/SB/08A (1 page).

If there are any questions regarding this submission, please contact the undersigned.

#### **CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being sent to the U.S. Patent and Trademark Office via facsimile at (571) 273-8300 on November 8, 2005.

Respectfully submitted,

ALLEMAN HALL MCCOY RUSSELL & TUTTLE LLP

ionado. Russell

Registration No. 47,048

Customer No. 36865 Attorney for Applicant

806 SW Broadway, Suite 600

Portland, Oregon 97205

Telephone: (503) 459-4141 Facsimile: (503) 459-4142

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Complete if Known Substitute for form 1449/PTO Application Number 10/767,395 Filing Date January 28, 2004 INFORMATION DISCLOSURE First Named Inventor Shane Elwart STATEMENT BY APPLICANT Art Unil 3748 (Use as meny sheets as necessary) Examiner Name Attorney Docket Number 81091446

Examiner Initials	Cite No.	Document Number  Number-Kind Code <sup>2 (F known)</sup>	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
		<sup>US-</sup> 6,482,377	11-19-2002	Bartley et al		
		<sup>US-</sup> 6,419,890	07-16-2002	LI		
		<sup>US-</sup> 6,338,831	01-15-2002	Strehlau et al		
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FOREIGN PATENT DOCUMENTS								
Examiner Initials*	Cite No.1	Foreign Patent Document	Publication Date	Name of Patentae or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear			
		Country Code <sup>3</sup> "Number <sup>8</sup> " Kind Code <sup>3</sup> (if known)	MM-QD-YYYY					
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Examiner Signature			Date Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). <sup>2</sup> See Kinda Codes of USPTO Patent Documents at <a href="https://www.uspto.gox">www.uspto.gox</a> or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (MPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>3</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.18 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

Translation is stached.
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